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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SEATTLE METROPOLITANS
11 HOCKEY LLC,

12 Plaintiff,
13 v.

14 SEATTLE HOCKEY PARTNERS
15 LLC,

16 Defendant.

CASE NO. C23-1989JLR

ORDER

16 Before the court is Defendant-Counter Claimant Seattle Hockey Partners LLC's
17 (the "Kraken") request for clarification of the court's rulings at the November 4, 2024
18 telephonic discovery conference. (Req. (Dkt. # 30).) Specifically, "the Kraken request
19 clarification as to whether the [c]ourt's rulings . . . were preliminary in nature . . . or
20 whether the [c]ourt's rulings were final and require immediate compliance." (*Id.* at 2.)

21 With respect to the non-Winter Classic revenue, the Kraken are ordered to produce
22 information regarding turnstile ticketing, concessions, parking, television, radio, and

1 sponsorships for the full 2023-24 season. The Kraken need not produce any information
2 regarding the 2022-23 season. The Kraken shall produce this discovery to Plaintiff
3 Seattle Metropolitans Hockey LLC (“SM”) on or before **November 15, 2024**.

4 With respect to the Winter Classic revenue, SM requested turnstile ticketing and
5 revenue information related to the January 1, 2024 Winter Classic game. (See SM Letter
6 (Dkt. # 26) at 2.) The Kraken are ordered to produce turnstile ticketing information for
7 the January 1, 2024 Winter Classic game on or before **November 15, 2024**. Based on the
8 Kraken’s representation that they produced all of the Winter Classic-specific revenue
9 they had in their possession and that the remainder of the requested discovery is in the
10 National Hockey League’s (“NHL”) possession (see Kraken Letter (Dkt. # 27) at 2), the
11 Kraken need not produce any other revenue “records differentiating their [Winter
12 Classic] and non-[Winter Classic] payments from the NHL.” (*Id.*) SM must obtain this
13 information from the NHL.

14 With respect to the advertising and marketing expenditures, the Kraken represent
15 that they produced documents regarding their advertising and marketing budget and
16 expenditures for the Winter Classic event. (See *id.*) The Kraken have agreed to search
17 for information related to four other games during which the Winter Classic logo was
18 used. (11/4/24 Rough Tr. at 4:24-5:3.) The Kraken are ordered to produce this
19 information to SM on or before **November 15, 2024**. Based on the Kraken’s
20 representation that the remainder of the requested advertising and marketing information
21 is in the NHL’s possession, the Kraken need not produce such advertising and marketing
22 information. (Kraken Letter at 2.) SM must obtain this information from the NHL.

1 For the avoidance of doubt, responses to all discovery requests predating the
2 November 4, 2024 discovery conference are due on or before **November 15, 2024**.
3 Responses to post-conference discovery requests will be due in accordance with the
4 federal and local discovery rules. The court encourages the parties to meet-and-confer
5 and attempt to resolve any outstanding discovery issues before bringing such issues to the
6 court. The parties shall propose a modified expert witness disclosure deadline to the
7 court by **November 15, 2024**.

8

9 Dated this 5th day of November 2024.

10 
11 JAMES L. ROBART
United States District Judge